

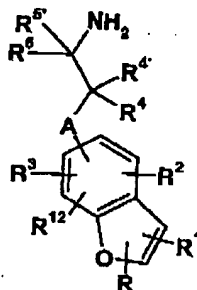
Serial No. 09/890,311

Amendments to the Claims

Please amend the Claims as follows:

We claim

1. (Currently amended) The compounds of Formula I:



I

where:

A is  $-\text{CHR}^{13}-$  or a bond and is attached at the 7-position of the benzofuran ring;

R is hydrogen, halo, cyano,  $-\text{C}(\text{O})\text{NR}^6\text{R}^7$ ,  $\text{C}_1\text{-C}_6$  alkyl,  $\text{C}_1\text{-C}_4$  alkoxy, carbonyl, carboxy, or phenyl optionally substituted with one or two substituents selected from the group consisting of halo,  $\text{C}_1\text{-C}_4$  alkyl, and  $\text{C}_1\text{-C}_4$  alkoxy;

~~R<sup>1</sup> is hydrogen, halo, cyano, carboxamido, formyl, trimethylsilyl, trifluoromethyl, pentafluoroethyl, or  $\text{C}_1\text{-C}_6$  alkyl;~~

R<sup>2</sup> and R<sup>3</sup> are independently hydrogen, halo, amino, nitro,  $\text{C}_1\text{-C}_4$  alkoxy, cyano, carboxamido,  $-\text{C}(\text{O})\text{NR}^8\text{R}^9$ ,  $-\text{NR}^{10}\text{R}^{11}$ ,  $-\text{NHC}(\text{O})\text{NHR}^{14}$ ,  $\text{C}_1\text{-C}_4$  alkoxy, carbonyl, carboxyl, trifluoromethyl, or  $\text{C}_1\text{-C}_6$  alkyl optionally substituted with a substituent selected from the group consisting of  $\text{C}_1\text{-C}_4$  alkoxy, hydroxy, phenoxy, and phenyl;

R<sup>4</sup> and R<sup>4'</sup> are independently hydrogen,  $\text{C}_1\text{-C}_4$  alkyl, or benzyl; or R<sup>4</sup> and R<sup>4'</sup> together with the carbon atom to which they are attached form a cyclopropyl moiety;

R<sup>5</sup> is hydrogen,  $\text{C}_1\text{-C}_4$  alkyl, or benzyl;

R<sup>5'</sup> is hydrogen, or R<sup>5</sup> and R<sup>5'</sup> together with the carbon atom to which they are attached form a cyclopropyl moiety;

R<sup>6</sup> and R<sup>7</sup> are independently hydrogen or  $\text{C}_1\text{-C}_4$  alkyl;

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$R^8$  is hydrogen or  $C_1$ - $C_4$  alkyl;

$R^9$  is  $C_1$ - $C_8$  alkyl where the alkyl chain is optionally substituted with a substituent selected from the group consisting of carboxy, phenyl, or pyridyl, said phenyl or pyridyl substituent optionally substituted with one or two substituents selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, or  $C_1$ - $C_4$  alkoxy;

$R^{10}$  is hydrogen or  $C_1$ - $C_4$  alkyl;

$R^{11}$  is  $C_1$ - $C_4$  alkyl or  $C_1$ - $C_4$  acyl;

$R^{12}$  is hydrogen, halo, or  $C_1$ - $C_4$  alkyl;

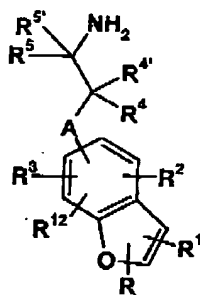
$R^{13}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl;

$R^{14}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or phenyl optionally substituted with a substituent selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, and  $C_1$ - $C_4$  alkoxy; or pharmaceutically acceptable acid addition salts thereof;

provided that when  $R$ ,  $R^1$ ,  $R^3$ ,  $R^{12}$ ,  $R^4$ ,  $R^5$ , and  $R^{5'}$  are each hydrogen, and  $R^2$  is  $\beta$ -chloro, then A is other than methylene; and

further provided that when R and  $R^1$  are each methyl,  $R^2$  is methoxy, and  $R^3$ ,  $R^{12}$ ,  $R^4$ ,  $R^5$ , and  $R^{5'}$  are each hydrogen, then A is other than a bond.

2. (Currently amended) A pharmaceutical formulation which comprises, in association with a pharmaceutically acceptable carrier, diluent or excipient, a therapeutically effective amount of a compound of Formula I:



where:

A is  $-CHR^{13}-$  or a bond;

R is hydrogen, halo, cyano,  $-C(O)NR^6R^7$ ,  $C_1$ - $C_6$  alkyl,  $C_1$ - $C_4$  alkoxy, carboxy, or phenyl optionally substituted with one or two substituents selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, and  $C_1$ - $C_4$  alkoxy;

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$R^1$  is hydrogen, halo, cyano, carboxamido, formyl, trimethylsilyl, trifluoromethyl, pentafluoroethyl, or  $C_1$ - $C_6$  alkyl;

$R^2$  and  $R^3$  are independently hydrogen, halo, amino, nitro,  $C_1$ - $C_4$  alkoxy, cyano, carboxamido,  $-C(O)NR^8R^9$ ,  $-NR^{10}R^{11}$ ,  $-NHC(O)NHR^{14}$ ,  $C_1$ - $C_4$  alkoxy carbonyl, carboxyl, trifluoromethyl, or  $C_1$ - $C_6$  alkyl optionally substituted with a substituent selected from the group consisting of  $C_1$ - $C_4$  alkoxy, hydroxy, phenoxy, and phenyl;

$R^4$  and  $R^{4'}$  are independently hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl; or  $R^4$  and  $R^{4'}$  together with the carbon atom to which they are attached form a cyclopropyl moiety;

$R^5$  is hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl;

$R^{5'}$  is hydrogen, or  $R^5$  and  $R^{5'}$  together with the carbon atom to which they are attached form a cyclopropyl moiety;

$R^6$  and  $R^7$  are independently hydrogen or  $C_1$ - $C_4$  alkyl;

$R^8$  is hydrogen or  $C_1$ - $C_4$  alkyl;

$R^9$  is  $C_1$ - $C_8$  alkyl where the alkyl chain is optionally substituted with a substituent selected from the group consisting of carboxy, phenyl, or pyridyl, said phenyl or pyridyl substituent optionally substituted with one or two substituents selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, or  $C_1$ - $C_4$  alkoxy;

$R^{10}$  is hydrogen or  $C_1$ - $C_4$  alkyl;

$R^{11}$  is  $C_1$ - $C_4$  alkyl or  $C_1$ - $C_4$  acyl;

$R^{12}$  is hydrogen, halo, or  $C_1$ - $C_4$  alkyl;

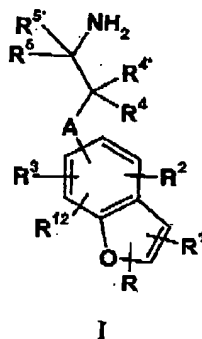
$R^{13}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl;

$R^{14}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or phenyl optionally substituted with a substituent selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, and  $C_1$ - $C_4$  alkoxy; or pharmaceutically acceptable acid addition salts thereof.

3. (Cancelled)

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4. (Original) A method for the treatment of obesity in mammals, comprising administering to a mammal in need of such treatment an effective amount of a compound of Formula I:



where:

A is  $-\text{CHR}^{13}-$  or a bond;

R is hydrogen, halo, cyano,  $-\text{C}(\text{O})\text{NR}^6\text{R}^7$ ,  $\text{C}_1$ - $\text{C}_6$  alkyl,  $\text{C}_1$ - $\text{C}_4$  alkoxy, carboxy, or phenyl optionally substituted with one or two substituents selected from the group consisting of halo,  $\text{C}_1$ - $\text{C}_4$  alkyl, and  $\text{C}_1$ - $\text{C}_4$  alkoxy;

$\text{R}^1$  is hydrogen, halo, cyano, carboxamido, formyl, trimethylsilyl, trifluoromethyl, pentafluoroethyl, or  $\text{C}_1$ - $\text{C}_6$  alkyl;

$\text{R}^2$  and  $\text{R}^3$  are independently hydrogen, halo, amino, nitro,  $\text{C}_1$ - $\text{C}_4$  alkoxy, cyano, carboxamido,  $-\text{C}(\text{O})\text{NR}^8\text{R}^9$ ,  $-\text{NR}^{10}\text{R}^{11}$ ,  $-\text{NHC}(\text{O})\text{NHR}^{14}$ ,  $\text{C}_1$ - $\text{C}_4$  alkoxy, carboxyl, trifluoromethyl, or  $\text{C}_1$ - $\text{C}_6$  alkyl optionally substituted with a substituent selected from the group consisting of  $\text{C}_1$ - $\text{C}_4$  alkoxy, hydroxy, phenoxy, and phenyl;

$\text{R}^4$  and  $\text{R}^{4'}$  are independently hydrogen,  $\text{C}_1$ - $\text{C}_4$  alkyl, or benzyl; or  $\text{R}^4$  and  $\text{R}^{4'}$  together with the carbon atom to which they are attached form a cyclopropyl moiety;

$\text{R}^5$  is hydrogen,  $\text{C}_1$ - $\text{C}_4$  alkyl, or benzyl;

$\text{R}^{5'}$  is hydrogen, or  $\text{R}^5$  and  $\text{R}^{5'}$  together with the carbon atom to which they are attached form a cyclopropyl moiety;

$\text{R}^6$  and  $\text{R}^7$  are independently hydrogen or  $\text{C}_1$ - $\text{C}_4$  alkyl;

$\text{R}^8$  is hydrogen or  $\text{C}_1$ - $\text{C}_4$  alkyl;

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$R^9$  is  $C_1$ - $C_8$  alkyl where the alkyl chain is optionally substituted with a substituent selected from the group consisting of carboxy, phenyl, or pyridyl, said phenyl or pyridyl substituent optionally substituted with one or two substituents selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, or  $C_1$ - $C_4$  alkoxy;

$R^{10}$  is hydrogen or  $C_1$ - $C_4$  alkyl;

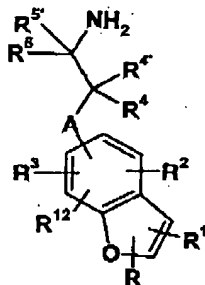
$R^{11}$  is  $C_1$ - $C_4$  alkyl or  $C_1$ - $C_4$  acyl;

$R^{12}$  is hydrogen, halo, or  $C_1$ - $C_4$  alkyl;

$R^{13}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl;

$R^{14}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or phenyl optionally substituted with a substituent selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, and  $C_1$ - $C_4$  alkoxy; or pharmaceutically acceptable acid addition salts thereof.

5. (Original) A method for the treatment of depression in mammals, comprising administering to a mammal in need of such treatment an effective amount of a compound of Formula I:



I

where:

A is  $-CHR^{13}-$  or a bond;

R is hydrogen, halo, cyano,  $-C(O)NR^6R^7$ ,  $C_1$ - $C_6$  alkyl,  $C_1$ - $C_4$  alkoxy, carboxy, or phenyl optionally substituted with one or two substituents selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, and  $C_1$ - $C_4$  alkoxy;

$R^1$  is hydrogen, halo, cyano, carboxamido, formyl, trimethylsilyl, trifluoromethyl, pentafluoroethyl, or  $C_1$ - $C_6$  alkyl;

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$R^2$  and  $R^3$  are independently hydrogen, halo, amino, nitro,  $C_1$ - $C_4$  alkoxy, cyano, carboxamido,  $-C(O)NR^8R^9$ ,  $-NR^{10}R^{11}$ ,  $-NHC(O)NHR^{14}$ ,  $C_1$ - $C_4$  alkoxycarbonyl, carboxyl, trifluoromethyl, or  $C_1$ - $C_6$  alkyl optionally substituted with a substituent selected from the group consisting of  $C_1$ - $C_4$  alkoxy, hydroxy, phenoxy, and phenyl;

$R^4$  and  $R^{4'}$  are independently hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl; or  $R^4$  and  $R^{4'}$  together with the carbon atom to which they are attached form a cyclopropyl moiety;

$R^5$  is hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl;

$R^{5'}$  is hydrogen, or  $R^5$  and  $R^{5'}$  together with the carbon atom to which they are attached form a cyclopropyl moiety;

$R^6$  and  $R^7$  are independently hydrogen or  $C_1$ - $C_4$  alkyl;

$R^8$  is hydrogen or  $C_1$ - $C_4$  alkyl;

$R^9$  is  $C_1$ - $C_8$  alkyl where the alkyl chain is optionally substituted with a substituent selected from the group consisting of carboxy, phenyl, or pyridyl, said phenyl or pyridyl substituent optionally substituted with one or two substituents selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, or  $C_1$ - $C_4$  alkoxy;

$R^{10}$  is hydrogen or  $C_1$ - $C_4$  alkyl;

$R^{11}$  is  $C_1$ - $C_4$  alkyl or  $C_1$ - $C_4$  acyl;

$R^{12}$  is hydrogen, halo, or  $C_1$ - $C_4$  alkyl;

$R^{13}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or benzyl;

$R^{14}$  is hydrogen,  $C_1$ - $C_4$  alkyl, or phenyl optionally substituted with a substituent selected from the group consisting of halo,  $C_1$ - $C_4$  alkyl, and  $C_1$ - $C_4$  alkoxy; or pharmaceutically acceptable acid addition salts thereof.

6. (Cancelled)

7. (Previously presented) A method of Claim 4 where the mammal is human;

8. (Previously presented) A method of Claim 5 where the mammal is human.